

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

THE TOWN OF NORTH SMITHFIELD

ZONING ORDINANCE SECTION 7.9

SUPPLEMENTARY DISTRICT REGULATIONS

It is ordained by the Town Council of the Town of North Smithfield as follows:

That the Zoning Code of Ordinances, Section 7.9, entitled, "Temporary Use of Dumpsters", be enacted as follows:

7.9 Use of Dumpsters

Any person, corporation, partnership or any other entity requiring the use of a temporary dumpster shall, prior to placing a dumpster on public or private property for any period of time, obtain a dumpster permit from the Building and Zoning Department. Said permit shall specify the size of the dumpster, location and the name and phone number of the dumpster company and the length of time that said dumpster may be used on the said public/private property.

Clean out dumpster permits are valid for 30 days from date of issuance. New construction dumpsters are valid for 180 days from date of issuance. Each permit is renewable once. After a renewal permit has expired, a 90-day waiting period is required before another dumpster permit can be issued.

(1) Minimum standards. Any dumpster used in the town shall meet the following standards:

- a. The dumpster shall be painted so as to be reasonably resistant to rust and corrosion.
- b. The name and telephone number of the dumpster owner shall be clearly painted on at least two sides, except when opened for deposit or servicing.
- c. Dumpsters less than twenty (20) cubic yards in size shall be capable of being closed on all sides, except when open for deposit and servicing
- d. Dumpsters greater than (20) cubic yards in size shall be capable of being secured so as to prevent the spillage or overflow of material from the container.
- e. Dumpsters shall be serviced only during the hours of 7:30 am and 6:00 pm on weekdays, 7:30 am and 4:00 pm on Saturdays, and prohibited on Sundays and legal holidays.
- f. Dumpster placement must meet accessory structure setbacks for the zoning district where the property is located.

- (2) *Use.* All dumpsters used in the town shall be maintained and with a frequency sufficient to prevent spillage or overflow, to prevent the buildup of offensive odors, and to prevent a public hazard. The responsibility for the maintenance and servicing of dumpsters shall rest with the property owner. The maintenance of dumpsters shall include the cleanup and removal of all litter thrown or left on the dumpster premises to prevent litter from drifting or blowing on to adjacent premises. Dumpsters shall only be used for construction and/or household debris. Decomposable matter shall not be disposed of in these dumpsters.
- (3) *Violations and penalties.* Any person, corporation, partnership or any other entity who shall violate any provision of this section, or any provisions of any rules or regulation adopted pursuant to authority granted by this section, will be assessed a fine of up to \$100 for the first offense, \$250 for the second offense, and \$500 for each additional offense payable by the permit holder to the North Smithfield Municipal Court. That upon determination by the building official or his/her designee, that the public health, safety and welfare would be better served, the building official may give notice of such violation and abate said condition according to statute or give notice of said violation and petition the municipal court for an order to abate any such violation.
- (4) *Enforcement.* The provisions of this section shall be enforced by the Zoning Official or his or her designee.
- (5) *Exemptions.* Land classified by the Town of North Smithfield Tax Assessor as Farm land or Forest land under The State of Rhode Island Farm, Forest and Open Space Act is exempt from Section 7.9 of the Code of Ordinances.

Approved in form: _____
David Igliozi, Town Solicitor

Received by Town Clerk: _____ Date: _____
Debra Todd

Posted Date: _____

First Reading: _____

Second Reading: _____

Alves _____ Nadeau _____ Soly _____ Zwolenski _____ Boucher _____

Approved by Town Administrator: _____
Paulette Hamilton